
PROGRAM NARRATIVE

140 OFFICE OF ADMINISTRATIVE HEARINGS

Date: 12/13/2006

Time: 11:39:02

Program: Office of Administrative Hearings Services	Reporting Level: 00-140-100-00-00-00-00000000
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PROGRAM PERFORMANCE MEASURES

Effective July 1, 2006, performance measures have been implemented on a trial basis for Workforce Safety and Insurance cases only. Essentially, they are case processing guidelines, measuring the length of time to "process" various components of administrative proceedings. OAH will shortly begin developing similar performance measures/case processing guidelines for its other agency caseloads, too. Of course, results from the WSI case processing guidelines are not available yet. Although performance measures for conducting administrative hearings are a helpful management tool, because of the inherent variability in hearings, they should be considered as guidelines and not strict performance measures.

PROGRAM STATISTICAL DATA

OAH began operations July 1, 1991. In its early years, through approximately 1999, OAH received many more requests for agency services than it now does. OAH averaged about 550 requests per year in its first four years and about 725 requests per year in its next four years. Much of this early caseload was the result of an agreement to conduct workers compensation hearings. There was a large backlog of workers compensation cases that OAH handled for Workforce Safety and Insurance (WSI). The backlog of WSI cases that was mostly from the 1995-1999 time period was eliminated.

Over the last six years OAH's caseload level has been relatively stable, though in recent years there have been some fairly substantial increases. Since 2000, the caseloads have been as follows (agency requests per year):

2000 - 445	2004 - 475
2001 - 408	2005 - 523
2002 - 446	2006 - 289 (to July 31, 2006; extrapolates to 495)
2003 - 431	

OAH now gets a relatively steady stream of cases from WSI and from its other major user agency, the Department of Human Services. Over the years, OAH has provided administrative law judges for over 50 government agencies. To preside over this caseload, OAH now uses five permanent, full-time ALJs and contracts for the services of four temporary ALJs, on an as-needed basis.

EXPLANATION OF PROGRAM COSTS

From July 1, 1995, until June 30, 2003, OAH expenditures derived from two cost centers because of its separate handling of the Workforce Safety and Insurance caseload. One cost center reflected the operation of a separate agency and the provision of permanent ALJ services. The other cost center reflected the provision of temporary ALJ services for WSI and support to provide those additional services. In 2003 at the request of WSI, OAH began the return to one cost center and to provide all hearing officer services to all client agencies, including WSI, primarily with permanent, full-time ALJs. However, OAH still continues to make use of part-time, temporary ALJs for all agencies, on an as-needed basis.

To achieve this change in 2003, OAH was given two new FTEs to handle most of the former temporary ALJ caseload. Originally, one of these ALJs was located in Fargo and the other, filled by two half-time ALJs, was located in Bismarck. OAH also filled a vacant support staff position which it uses as secretarial and administrative support for the two new ALJ FTEs. Beginning in 2006, both of these two new ALJ FTEs are full-time and both are located in the east, one in Fargo, one in West Fargo, to handle OAH's substantial eastern caseload, especially WSI cases. After experimenting for a time with two half-time ALJs, OAH decided to return to one full-time ALJ and locate that person in the east. Both of the former half-time ALJ's continue to contract with OAH as temporary ALJs.

PROGRAM GOALS AND OBJECTIVES

OAH has only one major program. All the agency's mission, goals, and functions are carried out in this program, which includes ALJ and related support services as well as administration, finance and budget, information systems, personnel, and payroll matters.

REQUEST DETAIL BY PROGRAM**140 OFFICE OF ADMINISTRATIVE HEARINGS****Biennium: 2007-2009****Bill#: HB 1017****Date: 12/13/2006****Time: 11:39:02**

Program: Office of Administrative Hearings Services		Reporting Level: 00-140-100-00-00-00-00000000			
Description	Expenditures 2003-2005 Biennium	Present Budget 2005-2007	Budget Request Change	Requested Budget 2007-2009 Biennium	Optional Request 2007-2009
SALARIES AND WAGES					
SALARIES - PERMANENT	691,397	786,586	30,612	817,198	0
SALARIES - OTHER	21	5,000	-5,000	0	120,528
TEMPORARY SALARIES	1,619	0	5,000	5,000	0
FRINGE BENEFITS	203,003	251,341	-3,715	247,626	0
SALARY INCREASE	0	0	0	0	0
BENEFIT INCREASE	0	0	0	0	0
TOTAL	896,040	1,042,927	26,897	1,069,824	120,528
SALARIES AND WAGES					
GENERAL FUND	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0
SPECIAL FUNDS	896,040	1,042,927	26,897	1,069,824	120,528
TOTAL	896,040	1,042,927	26,897	1,069,824	120,528
OPERATING EXPENSES					
TRAVEL	20,714	22,000	0	22,000	0
SUPPLIES - IT SOFTWARE	9,889	9,000	0	9,000	3,000
SUPPLY/MATERIAL-PROFESSIONAL	870	2,244	0	2,244	0
MISCELLANEOUS SUPPLIES	488	5,235	-2,000	3,235	0
OFFICE SUPPLIES	5,392	7,283	0	7,283	0
POSTAGE	10,597	10,000	1,400	11,400	0
PRINTING	2,505	3,000	0	3,000	0
IT EQUIP UNDER \$5,000	17,025	7,500	1,500	9,000	4,500
OFFICE EQUIP & FURN SUPPLIES	4,996	11,450	-1,500	9,950	0
UTILITIES	272	400	0	400	0
INSURANCE	1,645	1,443	0	1,443	0
RENTALS/LEASES-EQUIP & OTHER	4,320	6,725	-886	5,839	0
RENTALS/LEASES - BLDG/LAND	42,709	46,890	1,486	48,376	0
REPAIRS	156	3,000	-1,000	2,000	0
IT - DATA PROCESSING	25,796	48,747	0	48,747	0
IT-COMMUNICATIONS	10,680	14,000	1,000	15,000	0
IT CONTRACTUAL SERVICES AND RE	455	1,000	0	1,000	0
PROFESSIONAL DEVELOPMENT	9,111	15,000	0	15,000	0
OPERATING FEES AND SERVICES	76	2,000	0	2,000	0
FEES - PROFESSIONAL SERVICES	107,214	150,000	0	150,000	50,000
TOTAL	274,910	366,917	0	366,917	57,500

REQUEST DETAIL BY PROGRAM**140 OFFICE OF ADMINISTRATIVE HEARINGS****Biennium: 2007-2009****Bill#: HB 1017****Date: 12/13/2006****Time: 11:39:02**

Program: Office of Administrative Hearings Services		Reporting Level: 00-140-100-00-00-00-00000000			
Description	Expenditures 2003-2005 Biennium	Present Budget 2005-2007	Budget Request Change	Requested Budget 2007-2009 Biennium	Optional Request 2007-2009

OPERATING EXPENSES

GENERAL FUND	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0
SPECIAL FUNDS	274,910	366,917	0	366,917	57,500
TOTAL	274,910	366,917	0	366,917	57,500

PROGRAM FUNDING SOURCES

FEDERAL FUNDS	0	0	0	0	0
SPECIAL FUNDS	1,170,950	1,409,844	26,897	1,436,741	178,028
GENERAL FUND	0	0	0	0	0

PROGRAM FUNDING TOTAL

1,170,950	1,409,844	26,897	1,436,741	178,028
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FTE EMPLOYEES

8.00	8.00	.00	8.00	.00
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FUNDING DETAIL**SPECIAL FUNDS**

266 ADMINISTRATIVE HEARINGS FUND 266	1,170,950	1,409,844	26,897	1,436,741	178,028
TOTAL	1,170,950	1,409,844	26,897	1,436,741	178,028

CHANGE PACKAGE DETAIL**140 OFFICE OF ADMINISTRATIVE HEARINGS****Biennium: 2007-2009****Bill#: HB 1017****Date: 12/13/2006****Time: 11:39:02**

PROGRAM: Office of Administrative Hearings Services		REPORTING LEVEL: 00-140-100-00-00-00-00000000			
Description	FTE	General Fund	Federal Funds	Special Funds	Total Funds

AGENCY BUDGET CHANGES

Cost To Continue	.00	0	0	26,897	26,897
Agency Total	.00	0	0	26,897	26,897

OPTIONAL REQUEST

3 Optional Increase - Salaries & Benefits	.00	0	0	120,528	120,528
5 Optional Increase - Professional Services	.00	0	0	50,000	50,000
6 Optional Increase - Digital Recording Project	.00	0	0	7,500	7,500
Optional Total	.00	0	0	178,028	178,028